

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Anne Witkowsky to John Dunn, Jonathan Elkind, Stuart Kaufman et al. Subject: [Update on CFE Negotiations]. (2 pages)	11/05/1999	P1/b(1)
002. email	Miriam Sapiro to Richard Holtzapple, Morgan Muir, and Hoyt Yee. Subject: Information Memorandum for NSC. (7 pages)	12/10/1999	P1/b(1)
003. email	Nancy Maxfield to Richard Holtzapple and Miriam Sapiro. Subject: Updated Version. (18 pages)	12/14/1999	P1/b(1)
004. email	Steven Andreasen to Justin Siberell. Subject: MTP...NMD/ABM/START III. (15 pages)	05/05/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Emails
Exchange-Non-Record (Mar 97-Jan 01) ([Senator Helms])
OA/Box Number: 630000

FOLDER TITLE:

[11/05/1999-05/12/2000]

2006-1363-F

vz5710

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
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b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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Exchange Mail

DATE-TIME 03/31/2000 1:22:15 PM
FROM Keith, James R. (ASIA)
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Taiwan Points [UNCLASSIFIED]
TO Lieberthal, Kenneth G. (ASIA)
CARBON_COPY Pritchard, Charles (Jack) L. (ASIA)

TEXT_BODY JBS approved press guidance points for Friday, March 31

-----Original

Message-----

From: Crowley, Philip J. (PRESS)

Sent: Friday, March

31, 2000 10:21 AM

To: @ASIA - Asian Affairs

Cc: @PRESS - Public

Affairs

Subject: Taiwan Points [UNCLASSIFIED]

TRANSLATED_ATTACHMENT

Taiwan3-31.doc

Taiwan Points

* We are carrying out our responsibility under the Taiwan Relations Act to provide defensive military equipment to Taiwan.

* We have a process in place for doing that.

* The Pentagon has undertaken a number of studies to enhance our understanding of Taiwan's defensive needs.

* I am not going to publicly discuss any studies or any conclusions that may result.

* At this point, no decisions have been made this year regarding Taiwan's

defensive needs. This process is on-going.

* We have a one-China policy. It has been successful. It has enjoyed broad, bipartisan support across both Republican and Democratic Administrations. We continue to carry out our obligations, consistent with our one China policy and the Taiwan Relations Act.

Berger Trip

* Sandy Berger will return to Washington today. He spent two days in Beijing consulting with senior PRC officials.

* He emphasized the fundamental importance we place on a peaceful resolution of the differences between the PRC and Taiwan. He urged PRC leaders to exercise caution and flexibility in dealing with the results of the Taiwan election, consistent with our "one China policy."

* With the election, a fresh opportunity exists for the PRC and Taiwan to reach out, resume their cross-Strait dialogue and resolve their differences peacefully.

Helms Op-Ed

* Senator Helms has a misconception that a U.S. vote in favor of China's accession into the WTO is somehow a favor to China. He's cutting off his nose to spite the Administration, but has lost sight of where our national interest is in the process.

* China will enter the WTO whether we grant permanent normal trade relations or not.

* The question is whether the United States will enjoy the benefits of the dramatic new market access that we negotiated, or whether U.S. companies will see this ground ceded to trade competitors in Asia and Europe.

* This serves our broader interest of more peaceful, stable and prosperous Pacific region as well.

Exchange Mail

DATE-TIME 04/05/2000 7:10:00 PM

FROM Keith, James R. (ASIA)

CLASSIFICATION UNCLASSIFIED

SUBJECT FW: History of "One China" [UNCLASSIFIED]

TO

Aguilo, Miguel A. (WHSR)
Bayley, Douglas C. (WHSR)
Blackburn, John (WHSR)
Bresnahan, Gary E. (WHSR/STP)
Broadwick, Bonnie . (WHSR)
Cheramie, Don E. (WHSR)
Crowder, Stevan D. (WHSR/STP)
Ehrendreich, Joel (WHSR)
Erdahl, Douglas M. (WHSR)
Fuchs, Joachim D. (WHSR)
Gentile, Donald J. (WHSR)
Hargis, Robert C. (WHSR)
Jansen, Christian P. (WHSR)
Jarosinski, Frank J. (WHSR)
Laskowski, Gregory J. (WHSR)
Manning, Michael T. (WHSR)
McGee, Jenny A. (WHSR)
Merletti, Roger D. (WHSR)
Payne, Raymond H. (WHSR/STP)
Porterfield, Patrick C. (WHSR)
Powell, Elliott (WHSR/EXSEC)
Reyes, David (WHSR)
Rickard, Robin S. (WHSR)
Rogers, Elizabeth B. (WHSR)
Schrader, Joel M. (WHSR)
Sibley, Matthew W. (WHSR)
Sigler, Ralph H. (WHSR)
Sutliff, Deana R. (WHSR)
Swarm, Amy L. (WHSR)
Tarver, J. Sean (WHSR)
Williams, Robert S. (WHSR)
Yarmchuk, Christina H. (WHSR)
Bayley, Douglas C. (WHSR)
Blackburn, John (WHSR)
Bresnahan, Gary E. (WHSR/STP)
Broadwick, Bonnie . (WHSR)
Crowder, Stevan D. (WHSR/STP)
Erdahl, Douglas M. (WHSR)
Fuchs, Joachim D. (WHSR)
Jansen, Christian P. (WHSR)

Laskowski, Gregory J. (WHSR)
McGee, Jenny A. (WHSR)
Porterfield, Patrick C. (WHSR)
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Reyes, David (WHSR)
Rickard, Robin S. (WHSR)
Rogers, Elizabeth B. (WHSR)
Schrader, Joel M. (WHSR)
Sibley, Matthew W. (WHSR)
Sigler, Ralph H. (WHSR)

CARBON_COPY

Keith, James R. (ASIA)

TEXT_BODY

Could I please ask for help from WHSR? SRB asked that the attached be sent tonight to the persons Mona names below. Could you fax this unclas document to their offices from SRB to each of the individuals? (excepting Leon/VP; I can do that by email separately). Please let me know if you can take this on. Thanks, Jim

Subject: RE:
History of "One China" [UNCLASSIFIED]

jim - sandy thinks this
looks great and should be circulated to albright, fuerth, tenet,
deleon, shelton, holbrooke. thx. m

-----Original Message-----

From: Keith,
James R. (ASIA)
Sent: Wednesday, April 05, 2000 2:06 PM
To: @APNSA;
Sutphen, Mona K. (NSA); Crocker, Bathsheba N. (NSA); Storey,
Sharon
V. (NSA); Scott-Perez, Marilyn L. (NSA); @RUDMAN
Cc: @LEGISLAT
- Legislative Affairs; @PRESS - Public Affairs; Anderson, Brooke
D. (NSCCOMM); Bradtke, Robert A. (EXSEC)
Subject: FW: History
of "One China" [UNCLASSIFIED]
Importance: High

Per SRB's request,
following is a chronology of past and present USG statements on "one
China," responding to a query that Holbrooke raised in the breakfast
this morning. Sandy wanted to see this before we sent it outside
the NSC, but MKA and VP/Leon both interested in seeing asap.
Please

advise with green light from SRB to release to them or, alternatively, any instructions for revision/reworking. Many thanks, Jim.

<< File: History of.doc >>

TRANSLATED_ATTACHMENT

History of.doc

HISTORY OF "ONE CHINA"

The key elements of our China policy reflect positions taken by the U.S. government over the last three decades. Emphases added.

1972 Shanghai Communiqué: "The U.S. side declared: The United States acknowledges that all Chinese on either side of the Taiwan Strait maintain there is but one China and that Taiwan is a part of China. The United States government does not challenge that position. It reaffirms its interest in peaceful settlement of the Taiwan question by the Chinese themselves."

1979 Communiqué: The United States "recognizes the Government of the People's Republic of China as the sole legal government of China."

The U.S. government "acknowledges the Chinese position that there is but one China and Taiwan is part of China."

1982 Communiqué: The United States government "reiterates that it has no intention of infringing on Chinese sovereignty and territorial integrity, or interfering in China's internal affairs, or pursuing a policy of 'two Chinas' or 'one China, one Taiwan.'"

Statements/Letters by U.S. Officials:

Deputy Secretary Christopher, SFRC Hearing on the Taiwan Relations Act,
1979: In a Committee on Senate Foreign Relations Committee hearing in 1979,

then Deputy Secretary Warren Christopher and Senator Glenn had the following exchange:

"Senator Glenn: We have said that Taiwan is part of China and that the People's Republic of China is the sole legal government of China. Would we not be locked in with our own statements in this agreement, then, toward influencing against an independent Taiwan, even though it may not be the present, existing Government of Taiwan.

Mr. Christopher. Yes. We have said that the governments on both sides of the Taiwan Straits believe that there is only one China. So as a matter of logic, we would find it inconsistent to have the Taiwanese authorities declare independence. But I was explaining my comment with respect to the provocative nature, and I think it would be particularly provocative with respect to the People's Republic of China."

Reagan Letter to Deng and Hu, April 1982 (public document): "The United States firmly adheres to the positions agreed upon in the joint communiqué on the establishment of diplomatic relations between the United States and China. There is only one China. We will not permit the unofficial relations between the American people and the people of Taiwan to weaken our commitment to this principle."

Letter from President Reagan to Hu Yaobang, May 3, 1982: "Our policy will continue to be based on the principle that there is but one China. We will not permit the unofficial relations between the American people and the Chinese people on Taiwan to weaken our commitment to this principle."

Presidential Public Statement at the time of the August 17, 1982 communiqué:

"The position of the United States Government has always been clear and consistent in this regard. The Taiwan question is a matter for the Chinese

people, on both sides of the Taiwan Strait, to resolve. We will not interfere in this matter or prejudice the free choice of, or put pressure on, the people of Taiwan in this matter. At the same time, we have an abiding interest and concern that any resolution be peaceful."

Secretary of State Shultz's Remarks at Banquet -- "We Support a Continuing Evolutionary Process," Shanghai, March 5, 1987: "In the Shanghai communiqué, as in the other two communiqués on which our relationship is based, the United States made clear that our policy is based on the principle that there is but one China. We have no intention of pursuing a policy of 'two Chinas' or 'one china, one Taiwan.'"

In the Shanghai communiqué, the United States also reaffirmed its interest in a peaceful settlement of the Taiwan question by the Chinese themselves. We understand and appreciate that striving for a peaceful resolution of the Taiwan question is also a fundamental policy of the Chinese Government.

These principles of one China and a peaceful resolution of one China and a peaceful resolution of the Taiwan question remain the core of our China policy."

President Bush Remarks - "We Value the New Relationship" - Beijing, February 25, 1989: "We remain firmly committed to the principles set forth in those three joint communiqués that form the basis of our relationship. And based on the bedrock principle that there is but one China, we have found ways to address Taiwan constructively without rancor. We Americans have a long, historical friendship with Chinese people everywhere. In the last few years, we've seen an encouraging expansion of family contacts and travel and indirect trade and other forms of peaceful interchange across the Taiwan Strait, reflecting the interests of the Chinese people themselves. And this trend, this new environment, is consistent with American's present and longstanding interest in a peaceful resolution of the differences by the Chinese themselves.

State Briefing, Acting Spokesman Joe Snyder, Question on Bush's Decision on F-16 Sale to Taiwan, September 3, 1992, Washington, D.C.: "The best thing I can do is quote what the President said yesterday. I think he addressed this quite well.

'In the last few years' -- this is quoting the President -- 'after decades of confrontation, great strides have been made in reducing tensions between Taipei and Beijing. 'During this period, the U.S. has provided Taiwan with sufficient defensive capabilities to sustain the confidence it needs to reduce these tensions. That same sense of security has underpinned Taiwan's democratic evolution towards democracy.

'The decision' -- the President's decision -- 'does not change the commitment of this Administration to the three communiqués of the People's Republic of China. We keep our word. Our one-China policy -- our recognition of the People's Republic of China as the sole legitimate government of China.'"

EAP DAS Kent Wiedemann, HIRC Testimony, August 3, 1995: Our policy is often simply described as "one China," but too rarely is the full definition of this position set out...

"Since 1972, the U.S. has acknowledged the Chinese position that there is but one China and Taiwan is part of China. The Reagan Administration, in 1982, clarified that the U.S. has no intention of pursuing a policy of 'two Chinas' or 'one China, one Taiwan.'"

Nick Burns - Press Briefing, October 2, 1995: "We certainly do support a one-China policy and have a one-China policy."

Joint Statement by President Clinton and PRC President Jiang Zemin, Beijing, June 27, 1998: "I reaffirmed our longstanding one-China policy to President Jiang and urged the pursuit of cross-Straits discussions, recently resumed, as the best path to a peaceful resolution."

President Clinton - Remarks to Students and Community of Beijing University,

June 29, 1998: "First of all, the United States policy is not an obstacle to the peaceful reunification of China and Taiwan. Our policy is embodied

in the three communiqués and the Taiwan Relations Act. Our country recognized China and embraced a one China policy almost 20 years ago. And I

reaffirmed our one China policy to President Jiang in our meetings.

Now, when the United States and China reached agreement that we would have a

one China policy, we also reached agreement that the reunification would

occur by peaceful means, and we have encouraged the cross-Strait dialogue to

achieve that. Our policy is that any weapon sales, therefore, to Taiwan must be for defensive purposes only, and that the country must not believe

-- China must not believe that we are in any way trying to undermine our own one China policy. It is our policy. But we do believe it should occur

--

any reunification should occur peacefully."

President Clinton - Remarks at Shanghai Library, June 30, 1998: "I do believe that my coming here and the work we've done in the last two years,

President Jiang's trip to the United States, has helped to resolve some of

the misunderstandings. I had a chance to reiterate our Taiwan policy, which

is that we don't support independence for Taiwan, or two Chinas, or one

Taiwan-one China. And we don't believe that Taiwan should be a member in

any organization for which statehood is a requirement. So I think we have a

consistent policy.

Our only policy has been that we think it has to be done peacefully.

That

is what our law says, and we have encouraged the cross-Strait dialogue. And

I think eventually it will bear fruit if everyone is patient and works hard."

President Clinton Letter to Senator Helms, September 16, 1998: "We have a

'one China' policy based on the three U.S.-PRC joint communiqués.

Our strong unofficial relations with Taiwan and our continued support for appropriate defensive arms sales to Taiwan are based on the Taiwan Relations Act."

A/S Barbara Larkin Letter to Rep. Sherrod Brown, 1999: "The key elements of our China policy reflect positions taken by the U.S. government over the last three decades. Since 1979, the United States has recognized the Government of the People's Republic of China as the sole legal government of China. The U.S. has also acknowledged the Chinese position that there is but one China and Taiwan is part of China. The Reagan Administration, in 1982, clarified that the U.S. has no intention of pursuing a policy of 'two Chinas' or 'one China, one Taiwan.'

Within this context, the people of the United States maintain cultural, commercial, and other unofficial relations with the people on Taiwan. The U.S. has consistently held that resolution of the Taiwan issue is a matter to be worked out by the people on both sides of the Taiwan Strait themselves. Our sole and abiding concern is that the resolution be peaceful.

These elements of our policy are set out in the three U.S.-PRC joint communiqués of 1972, 1979, and 1982, and the legal framework for our unofficial relations with Taiwan is provided by the Taiwan Relations Act of 1979, 22 U.S.C. 3301 et seq. (TRA). The Act also stipulates that the U.S. will make available to Taiwan such defensive articles and services as may be necessary to enable Taiwan to maintain a sufficient self-defense capability. The Clinton Administration is committed to implementing this and all other elements of the TRA.

This foundation of our China policy has been supported by administrations of both parties. Since 1972, our basic objectives are: peace and stability in the Taiwan Strait area, engagement with the PRC, continuation of strong economic, cultural and other relations with the

people on Taiwan, and peaceful resolution of cross-Strait differences. Consistent with this framework, both President Clinton and Secretary Albright this year reaffirmed three pillars of our approach to cross-Strait relations: continuation of our "one China" policy; insistence on peaceful resolution of differences; and support for cross-Strait dialogue.

The PRC government and the Taiwan authorities have their own "one China" policies. American Institute in Taiwan (AIT) Chairman and Managing Director Richard Bush was reflecting Administration policy when he said, "[h]ow specifically to define the 'one-China' principle and how concretely to realize it are best left to the two sides of the Strait on a mutually acceptable basis." We are willing to support any outcome voluntarily agreed to by both sides of the Taiwan Strait."

President Clinton, Remarks to Business Council, Washington, D.C., February 24, 2000: "We'll continue to press China to respect global norms on nonproliferation, and we'll continue to reject the use of force as a means to resolve the Taiwan question. We'll also continue to make absolutely clear that the issues between Beijing and Taiwan must be resolved peacefully and with the assent of the people of Taiwan."

Exchange Mail

DATE-TIME 04/05/2000 7:14:32 PM

FROM Keith, James R. (ASIA)

CLASSIFICATION UNCLASSIFIED

SUBJECT FW: History of "One China" [UNCLASSIFIED]

TO Osius, Theodore G. (VP)
Aragoncillo, Leandro A. (VP)
Babbitt, James F. (VP)
Beardsley, Tyler S. (VP)
Black, Steven K. (VP)
Bolan, Christopher J. (VP)
Davidson, Leslie K. (VP)
Dennett, Todd H. (VP)
Fuerth, Leon S. (VP)
Gobush, Matthew N. (VP)
Hinckley, Steedman (VP)
Orfini, Michael H. (VP)
Osius, Theodore G. (VP)
Roberts, Michael W. (VP)
Saunders, Richard M. (VP)
Woolston, Ann E. (VP)

CARBON_COPY Keith, James R. (ASIA)

TEXT_BODY Ted: I understand from Ken that Leon was interested in the answer to a query that Amb. Holbrooke raised at breakfast this morning regarding "one China." Attached is the answer which SRB asked that we get to Leon, hence this message fro you, Rick, Leon and others interested.

Jim

TRANSLATED_ATTACHMENT History of.doc
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government over the last three decades. Emphases added.

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there is but one China and that Taiwan is a part of China. The United States government does not challenge that position. It reaffirms its interest in peaceful settlement of the Taiwan question by the Chinese themselves."

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"Senator Glenn: We have said that Taiwan is part of China and that the People's Republic of China is the sole legal government of
China. Would we not be locked in with our own statements in this agreement,
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not be the present, existing Government of Taiwan.

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United States
firmly adheres to the positions agreed upon in the joint communiqué
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people and the people of Taiwan to weaken our commitment to this
principle."

Letter from President Reagan to Hu Yaobang, May 3, 1982: "Our
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on, the people of Taiwan in this matter. At the same time, we have an
abiding interest and concern that any resolution be peaceful."

Secretary of State Shultz's Remarks at Banquet -- "We Support a
Continuing
Evolutionary Process," Shanghai, March 5, 1987: "In the Shanghai
communiqué, as in the other two communiqués on which our
relationship is
based, the United States made clear that our policy is based on the
principle that there is but one China. We have no intention of pursuing
a
policy of 'two Chinas' or 'one china, one Taiwan.'"

In the Shanghai communiqué, the United States also reaffirmed its interest in a peaceful settlement of the Taiwan question by the Chinese themselves. We understand and appreciate that striving for a peaceful resolution of the Taiwan question is also a fundamental policy of the Chinese Government.

These principles of one China and a peaceful resolution of one China and a peaceful resolution of the Taiwan question remain the core of our China policy."

President Bush Remarks - "We Value the New Relationship" - Beijing, February 25, 1989: "We remain firmly committed to the principles set forth in those three joint communiqués that form the basis of our relationship. And based on the bedrock principle that there is but one China, we have found ways to address Taiwan constructively without rancor. We Americans have a long, historical friendship with Chinese people everywhere. In the last few years, we've seen an encouraging expansion of family contacts and travel and indirect trade and other forms of peaceful interchange across the Taiwan Strait, reflecting the interests of the Chinese people themselves. And this trend, this new environment, is consistent with American's present and longstanding interest in a peaceful resolution of the differences by the Chinese themselves.

State Briefing, Acting Spokesman Joe Snyder, Question on Bush's Decision on F-16 Sale to Taiwan, September 3, 1992, Washington, D.C.: "The best thing I can do is quote what the President said yesterday. I think he addressed this quite well.

'In the last few years' -- this is quoting the President -- 'after decades of confrontation, great strides have been made in reducing tensions between Taipei and Beijing. 'During this period, the U.S. has provided Taiwan with sufficient defensive capabilities to sustain the confidence it needs to reduce these tensions. That same sense of security has underpinned

Taiwan's
democratic evolution towards democracy.

'The decision' -- the President's decision -- 'does not change the commitment of this Administration to the three communiqués of the People's Republic of China. We keep our word. Our one-China policy -- our recognition of the People's Republic of China as the sole legitimate government of China.'

EAP DAS Kent Wiedemann, HIRC Testimony, August 3, 1995: Our policy is often simply described as "one China," but too rarely is the full definition of this position set out...

"Since 1972, the U.S. has acknowledged the Chinese position that there is but one China and Taiwan is part of China. The Reagan Administration, in 1982, clarified that the U.S. has no intention of pursuing a policy of 'two Chinas' or 'one China, one Taiwan.'"

Nick Burns - Press Briefing, October 2, 1995: "We certainly do support a one-China policy and have a one-China policy."

Joint Statement by President Clinton and PRC President Jiang Zemin, Beijing, June 27, 1998: "I reaffirmed our longstanding one-China policy to President Jiang and urged the pursuit of cross-Straits discussions, recently resumed, as the best path to a peaceful resolution."

President Clinton - Remarks to Students and Community of Beijing University, June 29, 1998: "First of all, the United States policy is not an obstacle to the peaceful reunification of China and Taiwan. Our policy is embodied in the three communiqués and the Taiwan Relations Act. Our country recognized China and embraced a one China policy almost 20 years ago. And I reaffirmed our one China policy to President Jiang in our meetings.

Now, when the United States and China reached agreement that we would have a one China policy, we also reached agreement that the reunification would occur by peaceful means, and we have encouraged the cross-Straits

dialogue to
achieve that. Our policy is that any weapon sales, therefore, to Taiwan
must be for defensive purposes only, and that the country must not
believe
-- China must not believe that we are in any way trying to undermine
our own one China policy. It is our policy. But we do believe it should
occur
--
any reunification should occur peacefully."

President Clinton - Remarks at Shanghai Library, June 30, 1998: "I do
believe that my coming here and the work we've done in the last two
years,
President Jiang's trip to the United States, has helped to resolve some
of
the misunderstandings. I had a chance to reiterate our Taiwan policy,
which
is that we don't support independence for Taiwan, or two Chinas, or
one
Taiwan-one China. And we don't believe that Taiwan should be a
member in
any organization for which statehood is a requirement. So I think we
have a
consistent policy.

Our only policy has been that we think it has to be done peacefully.
That
is what our law says, and we have encouraged the cross-Strait
dialogue. And
I think eventually it will bear fruit if everyone is patient and works
hard."

President Clinton Letter to Senator Helms, September 16, 1998: "We
have a
'one China' policy based on the three U.S.-PRC joint communiqués.
Our
strong unofficial relations with Taiwan and our continued support for
appropriate defensive arms sales to Taiwan are based on the Taiwan
Relations
Act."

A/S Barbara Larkin Letter to Rep. Sherrod Brown, 1999: "The key
elements of
our China policy reflect positions taken by the U.S. government over
the
last three decades. Since 1979, the United States has recognized the
Government of the People's Republic of China as the sole legal
government of
China. The U.S. has also acknowledged the Chinese position that
there is

but one China and Taiwan is part of China. The Reagan Administration, in 1982, clarified that the U.S. has no intention of pursuing a policy of 'two Chinas' or 'one China, one Taiwan.'

Within this context, the people of the United States maintain cultural, commercial, and other unofficial relations with the people on Taiwan. The U.S. has consistently held that resolution of the Taiwan issue is a matter to be worked out by the people on both sides of the Taiwan Strait themselves. Our sole and abiding concern is that the resolution be peaceful.

These elements of our policy are set out in the three U.S.-PRC joint communiqués of 1972, 1979, and 1982, and the legal framework for our unofficial relations with Taiwan is provided by the Taiwan Relations Act of 1979, 22 U.S.C. 3301 et seq. (TRA). The Act also stipulates that the U.S. will make available to Taiwan such defensive articles and services as may be necessary to enable Taiwan to maintain a sufficient self-defense capability. The Clinton Administration is committed to implementing this and all other elements of the TRA.

This foundation of our China policy has been supported by administrations of both parties. Since 1972, our basic objectives are: peace and stability in the Taiwan Strait area, engagement with the PRC, continuation of strong economic, cultural and other relations with the people on Taiwan, and peaceful resolution of cross-Strait differences. Consistent with this framework, both President Clinton and Secretary Albright this year reaffirmed three pillars of our approach to cross-Strait relations: continuation of our "one China" policy; insistence on peaceful resolution of differences; and support for cross-Strait dialogue.

The PRC government and the Taiwan authorities have their own "one China" policies. American Institute in Taiwan (AIT) Chairman and Managing Director Richard Bush was reflecting Administration policy when he said, "[h]ow specifically to define the 'one-China' principle and how concretely

to realize it are best left to the two sides of the Strait on a mutually acceptable basis." We are willing to support any outcome voluntarily agreed to by both sides of the Taiwan Strait."

President Clinton, Remarks to Business Council, Washington, D.C., February 24, 2000: "We'll continue to press China to respect global norms on nonproliferation, and we'll continue to reject the use of force as a means to resolve the Taiwan question. We'll also continue to make absolutely clear that the issues between Beijing and Taiwan must be resolved peacefully and with the assent of the people of Taiwan."

Exchange Mail

DATE-TIME 05/01/2000 11:41:09 PM
FROM Andreasen, Steven P. (DEFENSE)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Hill Briefings [UNCLASSIFIED]
TO Lackey, Miles M. (LEGIS)

CARBON_COPY Krass, Caroline D. (LEGAL)
Binnendijk, Johannes A. (Hans) (DEFENSE)
Andreasen, Steven P. (DEFENSE)

TEXT_BODY

So we understand: my expectation is that the Senators will be better staffed on Tuesday. In particular, rather than focus on what Bob Bell may have briefed to staff three years ago, or even in January 1999, they will probably note that the President himself has said in five letters to the Congress since November 1997 that: the MOU on ABM Treaty Succession "will be provided to the Senate for advice and consent." Moreover, in the last letter to Helms (dated April 19, 1999) the President said:

Let me assure you again that there is no difference between us on the question of whether the MOU on ABM Treaty succession, which was signed in September 26, 1997, will be provided to the Senate for its advice and consent -- it will. Moreover, it is my hope that Russia will approve the START II Treaty, so that we can quickly submit the MOU for advice and consent. I am confident the Senate will agree that this is in our national interest.

That said, I think we have no choice but to stick tomorrow with the "we will review, we will consult" formula; and if asked do we "stand by" our prior commitments, state we have not made a decision on how to proceed, but that we want to review and consult.

At some future date, we may need to come out of our "consult" crouch, and note that much has changed since April 1999 (i.e., ABM adaptation and START III discussions beginning in August/September 1999; and -- possibly, should we choose to note it -- the CTBT debate). But I think we should hold the current line for as long as possible.

-----Original Message-----

From: Lackey, Miles M. (LEGIS)

Sent: Monday, May 01, 2000 8:53 AM

To: Andreasen, Steven P. (DEFENSE);

@LEGAL - Legal Advisor; @DEFENSE - Defense Policy; Siberell, Justin H. (NSA); Crocker, Bathsheba N. (NSA); @LEGISLAT - Legislative Affairs

Subject: RE: Hill Briefings [UNCLASSIFIED]

Thanks Steve,

Your

readout confirms my fear about this briefing. As I'm sure Hans has told you, State planned to go into these briefings without a cleared mantra on this subject -- glad we pressed for it.

Although I'm sure

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I'll talk

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Miles

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From: Andreasen, Steven P. (DEFENSE)

Sent: Friday,

April 28, 2000 9:06 PM

To: @LEGAL - Legal Advisor; @DEFENSE - Defense Policy; Siberell, Justin H. (NSA); Crocker, Bathsheba N. (NSA); @LEGISLAT - Legislative Affairs

Subject: Hill Briefings [UNCLASSIFIED]

Importance: High

In

brief, the one hot botton issue in five hours of briefings of the HIRC, SFRC and NSWG staff this afternoon was the question of whether we would submit the September 1997 ABM / START package for Senate approval now that the Duma had approved START II.

* At the SFRC

briefing, Billingslea quoted from an October 1997 Bell briefing, where Bob said we would submit the 1997 agreements as a package after the Duma ratified START II. In response, I deployed our three points (i.e., will review the ratification bill and associated resolutions; will consult with Senators; and will take into account our ongoing discussions on START III and ABM). Marshall asserted that former Counselor Bell had made a commitment, and that we were now breaking that commitment; he didn't know what credibility we would have should we proceed in this manner. I simply said we had not made a decision, but that before we did, we would review and consult. He said there was no reason to consult, given our previous commitment. I said we understood his view, and that of Senator Helms, but that nevertheless

we intended to consult further. Marshall asked what Sandy Berger would do if he received a letter from the Majority Leader demanding that we submit the documents for advice and consent. I said I was not going to address hypotheticals, that we had not received such a letter, and I was not going to prejudge our response.

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then made a bee-line for Chris Williams prior to the start of the NSWG meeting, and Chris opened by stating he was interested to hearing our plan for transmitting the 1997 documents. After hearing our points, there was the obligatory piling on by Cochran's staff regarding the Administration's credibility. Kuglar asked me to confirm that we were now presenting a position different from Bob's (he had a January 1999 quote from Bob); I said we had made no decisions, and would review and consult (conceding this was "different"). Williams asked if I could assure him that we would submit the agreements by the end of the year; I said no, and that the only assurance I could give today was that we would review and consult. Marshall then said that our refusal to submit the 1997 package might affect the legal status of the CFE Flank Document (given that the Senate had agreed to approve the Flank Document on the condition that the President would transmit the 1997 MOU for approval).

Throughout these exchanges, Democratic staffers remained silent. After the NSWG briefing, Richard Fieldhouse took Avis and I aside and said that under "no circumstances" should we submit the 1997 agreements, as this would be an "unmitigated disaster." He then said -- somewhat belatedly for today's purposes -- that we should tell them if we "needed help."

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DATE-TIME 05/02/2000 8:00:03 AM
FROM Krass, Caroline D. (LEGAL)
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Hill Briefings [UNCLASSIFIED]
TO Baker, James E. (LEGAL)

CARBON_COPY
TEXT_BODY

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Sent: Monday, May 01, 2000 11:41 PM

To: Lackey, Miles M. (LEGIS)

Cc: Krass,

Caroline D. (LEGAL); Binnendijk, Johannes A. (Hans) (DEFENSE);
Andreasen, Steven P. (DEFENSE)

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Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. email	Steven Andreasen to Justin Siberell. Subject: MTP...NMD/ABM/START III. (15 pages)	05/05/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Emails
Exchange-Non-Record (Mar 97-Jan 01) ([Senator Helms])
OA/Box Number: 630000

FOLDER TITLE:

[11/05/1999-05/12/2000]

2006-1363-F
vz5710

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Exchange Mail

DATE-TIME 05/12/2000 5:16:37 PM
FROM Black, Steven K. (VP)
CLASSIFICATION UNCLASSIFIED
SUBJECT Earlier version was incorrect. Use this one. [UNCLASSIFIED]
TO Saunders, Richard M. (VP)
 Roberts, Michael W. (VP)

CARBON_COPY

TEXT_BODY

TRANSLATED_ATTACHMENT Memo to VP on ABM Succession.doc

May 12, 2000

INFORMATION MEMORANDUM TO THE VICE PRESIDENT

SUBJECT: ABM SUCCESSION

FROM: LEON FUERTH

The essence of Senator Helms' argument concerning Russia's legal status (or rather, lack thereof) as ABM Treaty successor to the Soviet Union is the assertion that the ABM Treaty expired when the Soviet Union collapsed in 1991; by definition, there can be no "successor states" to an expired Treaty. Moreover, Helms has asserted that in the absence of Senate advice and consent to the 1997 Memorandum of Understanding on Succession (see below), there are no recognized parties to the ABM Treaty.

Since the break-up of the Soviet Union both the Bush and Clinton Administrations have made clear that the ABM Treaty is among the arms control treaties with the Former Soviet Union that remain in effect. That said, following the break-up of the Soviet Union, it was necessary to reach agreement as to which, if

any, former Soviet States -- in addition to Russia -- would continue the USSR's rights and obligations under the ABM Treaty. The negotiations on succession which began in 1993 were aimed at resolving this particular question formally and finally. On Sept 26, 1997, Secretary Albright and her Russian, Kazakstani, Ukrainian and Belarussian counterparts signed a Memorandum of Understanding on ABM Treaty succession. Article I of the 1997 MOU provides that, upon entry into force of the MOU on Succession, Russia, Kazakstan, Ukraine and Belarus will be the parties to the ABM Treaty. The 1997 ABM MOU has not yet entered into force because none of the parties, including the United States, has deposited its instrument of ratification.

While negotiating the MOU, the Administration took the position that matters of treaty succession are a prerogative of the executive branch, and that once agreed, the MOU would not require Senate advice and consent. Senator Helms did not accept this view, and at his instigation, when the Senate gave its advice and consent to the CFE Flank Document in May 1997, one of the 14 conditions the Senate imposed (Condition 9) states that the President must submit the 1997 ABM MOU to the Senate for advice and consent. The President's response to the Senate in May 1997 pointed out that it is

clearly within the President's authorities to determine the successor States to a treaty when the original Party dissolves, and to make the adjustments required to accomplish such succession, and to enter into agreements for this purpose.

The President added that

throughout our history the executive branch has made a large number of determinations concerning the succession of new States to the treaty rights and

obligations of their predecessors. The ABM Succession MOU negotiated by the United States effectuated no substantive change in the ABM Treaty requiring Senate advice and consent. Nonetheless, in light of my commitment to agree to seek Senate approval of the Demarcation Agreements associated with the ABM Treaty, I have, without prejudice to the legal principles involved, certified, consistent with Condition (9), that I will submit any agreement concluded on ABM Treaty succession to the Senate for advice and consent.

Critics of the 1997 MOU argue two points: (1) the U.S. should not do anything to "revive" a dead treaty; or (2) that it is unwise to permit the number of parties to the ABM Treaty to grow from 2 to 5, as the U.S. would then be required to gain the agreement of not only Russia -- but Ukraine, Belarus, and Kazakhstan -- to any changes to the ABM Treaty to permit a limited National Missile Defense. In addition to rejecting the argument that the Treaty has expired and making the basic case for why the ABM Treaty is still in our national interest, we have noted that our track-record in working with Ukraine, Belarus and Kazakhstan in implementing important arms control treaties like START I and INF is very good (i.e., there is no reason to expect they would reject amendments to the ABM Treaty agreed to by the United States and Russia); moreover, excluding these countries from ABM might cause them to reassess their commitments under START, INF or even the NPT.

Bottom line: The Administration's position is that the ABM Treaty remains in force and that Russia obviously remains a party to the ABM Treaty. If the Senate declines to ratify the MOU on ABM succession, then there might be some ambiguity about the extent to which states other than Russia are Parties to the ABM Treaty; however, the ABM Treaty would continue in force.

